

REMARKS

This reply is in response to the Office Action of October 21, 2009. Claims 1 – 23 have been previously withdrawn. As such, claims 24 - 30 are pending in the application.

Claim Rejection – 35 USC §103

Claims 24-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 5,524,514 to Hadaway et al. (hereinafter, the Hadaway reference) in view of US Patent Application, Publication No. 2001/0028025 A1 to Pease (hereinafter, the Pease reference). Applicants respectfully traverse this rejection.

The Hadaway reference discloses a computer numerically controlled table saw **fence** (see title, emphasis added). In other words, the Hadaway reference discloses a microcontroller for controlling the fence. “The fence movement is accomplished . . . by the operator’s entry on the keypad.” See col. 1, ll. 44-47. To operate the microcontroller, the “**operator** enters the desired measurements on the keypad, then touches the “move” button and the fence automatically moves to that position. After making the cut or cuts, the **operator** can then repeat the process with another measurement entry.” See col. 2, ll. 8-12. emphasis added. Clearly, the Hadaway reference limits its teachings to a fence controller that is operated in response to operator input. The Hadaway reference makes no suggestion to direct the fence by anything other than operator input.

The Pease reference discloses a portable measurement device that is slidably mounted and movable along the working surface of a table saw. See Figure 6 and page 3, paragraph 33. The portable measurement device, as associated with the table saw, is limited to mounting on the table saw working surface. The Pease reference makes no suggestion to mount the measurement device at any other part of the table saw other than the working surface. Particularly, the Pease reference notes, “As will be apparent to one skilled in the art, other know techniques may be used to mounting the measurement device to the work table.” Clearly, the Pease reference limits the mounting location to the work table and makes no reference or suggestion to mounting the measurement device anywhere else, such as for example, the fence. Furthermore, if mounting the

measurement device to the fence were truly one of the known techniques apparent to those skilled in the art then a prior art reference would clearly show such a technique. But, no reference supporting such an allegation has been presented.

Both of the applied references are specifically limited to the their disclosures by the text of their specifications, the Hadaway reference limited to a fence controller using operator input and the Pease reference limited to a measurement device attached to a table saw working surface. Neither of the references teach or suggest coupling a non-contact measurement device to a fence, as recited in the independent claim 24. As such, it would not have been obvious to one of ordinary skill in the art to include a portable measurement device as disclosed in the Pease reference with the fence control device disclosed in the Hadaway reference.

For at least the foregoing reasons, claim 24 is patentably distinct from the applied art and in condition for allowance. As such, Applicants respectfully request the examiner to reconsider and withdraw the rejection of claim 24.

With regard to claims 25 – 30, as these claims are dependent upon presently allowable independent claim 24, these claims are also in condition for allowance. As such, Applicants respectfully request the examiner to reconsider and with the rejection of claims 25 – 30.

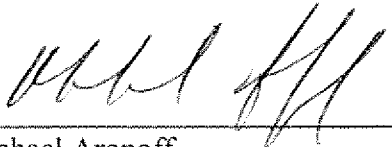
CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, thus, prompt and favorable consideration of this reply is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (410) 716-3689.

No fees or extensions of time are believed necessary for this submission. However, the Commissioner is hereby authorized to grant any needed extension of time and to charge any additional fees that may be required for this Response, or credit any overpayments to Deposit Account No. 02-2548.

Respectfully submitted,

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By: 
Michael Aronoff,
Reg. No. 37,770

THE BLACK & DECKER CORPORATION
701 E. JOPPA ROAD, TW 199
TOWSON, MD 21286